

FILED

SEP 17 2006

US DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

NO: CR 06-0428

Plaintiff,
vs.

STIPULATION AND [PROPOSED]
ORDER GRANTING REQUEST TO
SUBORDINATE PROPERTY BOND

THEODORE HONNIBALL et al.,

Defendants.

On June 21, 2006 the Honorable Judge Magistrate Vadas released Mr. Theodore Honniball on a \$250,000 signature bond and a \$100,000 property bond. The property bond was to be secured by property, owned by Bonnie Honniball, located at 2017 Judah Street, San Francisco CA 94122 (APN: Lot 12, Block 1828). A deed of trust was executed to secure the \$100,000 property bond in favor of the United States of America, as instrument no. 2006-I209166 on July 6, 2006, in book J176, page 0309, Official Records of San Francisco County. Said deed of trust serves as a lien upon said property in the amount of \$100,000.

The owner of said property, Bonnie Honniball, wishes to refinance said property by executing a deed of trust in the sum of \$350,000 in favor of Washington Mutual Bank, F.A.

1 (hereinafter Lender). Said deed of trust is to serve as a lien upon the property in the amount of
 2 \$350,000. As a condition of the agreement between Bonnie Honniball and Lender, Lender requires
 3 the attached INSTRUCTIONS CONCERNING USE OF SUBORDINATION AGREEMENT AND
 4 DISCLOSURE and SUBORDINATION AGREEMENT to be executed by the United States of
 5 America with respect to aforementioned lien created by the July 6, 2006 deed of trust.
 6

7 The parties have reviewed a current title report and appraisal regarding said property. After
 8 review of the documents, the parties agree that, in the event the deed of trust be executed by Bonnie
 9 Honniball in favor of Lender as described above, said property would have an approximate
 10 remaining equity amount of \$500,000. Therefore, the parties agree that execution of the attached
 11 documents by the United States and Bonnie Honniball would not jeopardize the ability of the
 12 United States of America to satisfy its lien in the event of foreclosure.
 13

14 The clerk of the court shall execute the attached INSTRUCTIONS CONCERNING USE OF
 15 SUBORDINATION AGREEMENT AND DISCLOSURE and SUBORDINATION AGREEMENT.
 16 IT IS SO ORDERED.

17
 18 Dated: 9/6/06



Lewis Romero, Attorney for
Theodore Honniball

21
 22 Dated: 9/07/2006



Andy Scoble, Attorney for
The United States of America

25
 26 Dated: 9/7/06



United States District Court Judge